

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ADRIAN MARTINEZ,

Petitioner,

vs.

DOUGLAS COUNTY BOARD OF  
MENTAL HEALTH, MICHAEL D.  
MCCLELLAN, Chairperson;  
MICHELLE MILLER-MCCOY,  
Chairperson; ERIC W. WELLS, #23694  
Deputy County Attorney; DR. JEFF  
MELVIN, Ph.D #334, Licensed  
Psychologist; and DOUGLAS COUNTY  
PUBLIC DEFENDERS OFFICE,

Respondents.

**8:20CV271**

**MEMORANDUM AND ORDER**

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ADRIAN MARTINEZ,

Petitioner,

vs.

TOM BARR, Hospital Administrator;  
KRIS BOE SIMMONS, Clinical Program  
Manager; DR. STEPHEN O'NEILL, MD  
Clinical Director, Staff Psychiatrist;  
DIANE SCHUMAKER, PAC; DR.  
MARGARET DONOVAN, Ph.D  
Director of Psychology; DR. JEAN A.  
LAING, Ph.D Clinical Psychologist; and  
TABETHA E. WAGGONER, LCSW,  
MSW, LMHP Sex Therapist;

Respondents.

**8:20CV272**

**MEMORANDUM AND ORDER**

This matter is before the court on Petitioner Adrian Martinez's Motion for Extension of Time. (Filing 11, Case No. 8:20CV271; Filing 13, Case No. 8:20CV272.)<sup>1</sup> Petitioner seeks an additional 30 days to file an amended petition in accordance with the court's January 14, 2021 Memorandum and Order (filing 10). Upon consideration, Petitioner's motion is granted.

Petitioner also indicates in his motion that he intends to file his amended petition along with "a supporting memorandum of law plus additional relevant exhibit evidence." (Filing 11 at CM/ECF p. 1.) The court will take this opportunity to remind Petitioner that his **amended petition must clearly present all his claims for relief and will supersede, not supplement, all his previous petitions.** Also, to the extent Petitioner wishes to incorporate "additional relevant exhibit evidence" into his amended petition, he need not resubmit any of the supporting exhibits already on file with the court; rather, Petitioner may incorporate such exhibits into his amended petition by reference.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion for Extension of Time (filing 11, Case No. 8:20CV271; filing 13, Case No. 8:20CV272) is granted. Petitioner shall have until **March 18, 2021**, to file an amended petition.

2. The clerk's office is directed to set the following pro se case management deadline: **March 18, 2021**: check for amended petition.

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<sup>1</sup> Unless otherwise specified, citations to the record are to the lead case, 8:20CV271.

Dated this 12th day of February, 2021.

BY THE COURT:

A handwritten signature in blue ink that reads "Richard G. Kopf". The signature is written in a cursive style with a large, stylized "R" and "K".

Richard G. Kopf  
Senior United States District Judge